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Issue Editors

Jeffrey D. Knowles
jdknowles@Venable.com
202.344.4860

Roger A. Colaizzi
racolaizzi@Venable.com
202.344.8051

Gary D. Hailey
gdhailey@Venable.com
202.344.4997

Gregory J. Sater
gjsater@Venable.com
310.229.0377

In This Issue

Jeffrey D. Knowles
jdknowles@Venable.com
202.344.4860

Ellen Traupman Berge
etberge@Venable.com
202.344.4704

Amy Ralph Mudge
amudge@Venable.com
202.344.4743

Gregory J. Sater
gjsater@Venable.com
310.229.0377

Randal M. Shaheen
rmshaheen@Venable.com
202.344.4488

Daniel S. Silverman
dssilverman@Venable.com
310.229.0373

Bety Javidzad
bjavidzad@Venable.com
310.229.9946

Honors and Awards

Law Firm of the Year, National Advertising, *U.S. News and World Report*, 2012 and 2014

News

Venable's Ellen Berge Named 2014 Client Choice Winner

Venable announced earlier this week that **Ellen T. Berge**, a partner in Venable's **Advertising and Marketing** Practice Group, as well as two other Venable partners, have been named winners of the 2014 Client Choice Awards. Berge, who was recognized in both the National and Washington, DC E-Commerce categories, is described by clients in the guide as "one of those outside counsel that just 'gets it'" and someone "always looking to help the client with the most reasonable, practical approach, no matter how big or small the issue."

Established in 2005, the Client Choice Awards recognize law firms and partners around the world that stand apart for their excellent client care and the quality of service. The criteria for the awards focus on an ability to add real value to clients' business above and beyond the other players in the market. Only in-house counsel may nominate attorneys and firms for these awards.

[Click here](#) to read the full text of Venable's press release about the awards.

[Click here](#) to view Ms. Berge's profile in *Client Choice Guide – USA & Canada 2014*.

FTC Releases Fourth Major Study on Alcohol Advertising and Industry Compliance

On March 20, the Federal Trade Commission (FTC) released its fourth major study on alcohol industry compliance with self-regulatory guidelines, including those designed to address concerns about youth exposure to alcohol marketing. The study required 14 leading alcohol companies to provide information on advertising and marketing expenditures from the 2011 calendar year. The published results provide cross-industry data on advertising spending by marketing channel, as well as compliance across traditional and new media channels. Lastly, the report provides recommendations for the industry going forward to protect consumer privacy and limit the exposure of underage consumers to alcohol advertising.

[Click here](#) to read the FTC's press release about the study.

[Click here](#) to read the full text of the study report.

Analysis

Plaintiffs' Class Action Bar May Choke on *POM Wonderful* Decertification Decision

On March 25, 2014, Judge Dean Pregerson, of the U.S. District Court, Central District of California, decertified a nationwide class of consumers in a class action brought against POM Wonderful LLC over allegedly false and misleading health claims related to its pomegranate juice. The decision provides ammunition for companies defending against putative class actions, write Venable attorneys **Gregory J. Sater**, **Daniel S. Silverman**, and **Bety Javidzad** in a recent post to the firm's advertising law blog.

They write that the decertification order is significant because it makes class certification more difficult for plaintiffs by requiring that plaintiffs both comport with the rigorous class-wide damages analysis outlined in *Comcast Corp. v. Behrend*, and demonstrate that the putative class is ascertainable.

[Click here](#) to read the full text of the post on Venable's advertising law blog, www.allaboutadvertisinglaw.com.



Top ranked in *Chambers USA* 2013



Top-Tier Firm *Legal 500*

For more information about Venable's award-winning Advertising and Marketing practice, please visit our website at www.Venable.com/Advertising-and-Marketing

In CFPB Endorsement Row, What's Good for the Goose Isn't Good for the Gander

Frequent readers of this newsletter and Venable's advertising law blog know that the FTC's Endorsement Guides require marketers to disclose material connections with endorsers of their service or product. Venable partners [Amy Ralph Mudge](#) and [Randal M. Shaheen](#) discuss just such a case in a recent post to Venable's advertising law blog. However, in this case, it was a federal agency, not a company, that failed to disclose its connection to an endorser. Although the FTC is unlikely to ask the Consumer Financial Protection Bureau about its compliance, Mudge and Shaheen write that the incident is a great opportunity for companies to ensure their internal policies and procedures are in compliance with the FTC's Endorsement Guides.

[Click here](#) to read the full text of the blog post by Mudge and Shaheen on Venable's advertising law blog, www.allaboutadvertisinglaw.com.

[Click here](#) to read an *American Banker* story about the CFPB news conference.

[Click here](#) to access the full text of the FTC's Endorsement Guides.

Upcoming Events

[ETA TRANSACT 14 – Las Vegas, NV](#)

April 8-10, 2014

The Electronic Transaction Association's TRANSACT 14 conference is the one place where the global payments and transactions ecosystem comes together. Visit us at **booth #1121** and attend our sponsored policy education track sessions to learn about the important legal issues affecting the payments industry, and what you can do to help the future of policy and regulation.

[Click here](#) to learn more and register.

[ANA Advertising Law & Public Policy Conference – Washington, DC](#)

April 23-24, 2014

Venable is a proud sponsor of the Association of National Advertisers' Advertising Law and Public Policy Conference. This two-day program convenes regulators who influence the legal and political climate for advertising and marketing, as well as top legal professionals and marketers, to share the latest insights on how to succeed in the modern media world. Venable partner [Amy Ralph Mudge](#) will speak on the panel "What's Next on Native Advertising?" on Wednesday, April 23 at 3:35 p.m. ET. This panel will explore native advertising issues beyond the "to disclose or not to disclose" questions and best practices to avoid enforcement.

[Click here](#) to learn more and register.

[Response Expo – San Diego, CA](#)

April 29-May 1, 2014

Please join Venable at the Response Expo 2014, which brings together key decision-makers and industry leaders from the corporate marketing arena and direct response spectrum. Visit us at **booth #212** and meet attorneys in our [Advertising and Marketing Practice Group](#). Also, be sure to join us at the "Venable Justice League" networking reception on Wednesday, April 30 from 4:30 - 6:00 p.m. PT on the Aqua Patio.

To obtain a complimentary show floor pass that will allow you access to the expo as a Venable guest, [click here](#) and register using the promotion code **EXH2014**.

[Click here](#) to learn more and register.

[CARU West Coast Conference 2014 – Los Angeles, CA](#)

May 6-7, 2014

The fourth annual Children's Advertising Review Unit (CARU) West Coast Conference boasts practical information to enhance legal professionals' and marketers' ability to navigate CARU's Self-Regulatory

Program for children's advertising. Venable partner [Gregory J. Sater](#) will present "Hot Button Roundup: Advanced Claim Substantiation, Sensitive Issues, and Special Considerations for Advertising and Marketing Within CARU Guidelines" on Wednesday, May 7 at 2:15 pm PT. Join him for an advanced discussion on complying with advertising guidelines with an eye towards optimizing creativity.

[Click here](#) to learn more and register.

[Click here](#) to subscribe to Venable's Advertising and Marketing RSS feed and receive the Venable team's insight and analysis as soon as it is posted.

Visit Venable's advertising law blog at www.allaboutadvertisinglaw.com.

CALIFORNIA DELAWARE MARYLAND NEW YORK VIRGINIA WASHINGTON, DC

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